

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2012-100487-002 DT

06/11/2012

COMMISSIONER VIRGINIA L. RICHTER

CLERK OF THE COURT

J. Field

Deputy

STATE OF ARIZONA

HEATHER LEE KIRKA

v.

CAIN HERSCHAEL SHAMAN LASKEY (002)
DOB: 03/03/1993

JAMES HOWARD ROLSTEAD

APO-SENTENCINGS-CCC

APPEALS-CCC

DISPOSITION CLERK-CSC

PRETRIAL SERVICES AGENCY-CCC

RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

11:41 a.m.

Courtroom SCT 2A

State's Attorney:	Kari Daly on behalf of Heather Kirka
Defendant's Attorney:	James Rolstead
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Count(s) 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 2 (as amended): Possession of Drug Paraphernalia

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Class 6 Undesignated Felony
A.R.S. § 13-3401, 3408, 3415, 3418, 610, 12-269, 13-701, 702, 707, 801, 802,
901.01(D), 901.01(A)
Date of Offense: January 4, 2012
Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 2 Probation Term: Eighteen months

To begin June 11, 2012.

IT IS ORDERED that probation in Count 2 shall run concurrent with probation in CR2012-106939-002.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the State.

Condition 15: Restitution, Fines and Fees:

FINE: Count 2 - Total amount of \$2,196.00, which includes surcharges of 83%, payable \$35.00 per month beginning August 1, 2012.

Fine is to be paid to the Arizona Drug Enforcement Fund.

PROBATION SURCHARGE: Count 2 - \$20.00 payable on August 1, 2012.

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on August 1, 2012.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 2 - \$13.00 payable on August 1, 2012.

Investigative Agency:

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Glendale Police Department

All amounts payable through the Clerk of the Superior Court.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 17 - Count 2: Complete a total of 40 hours of community restitution.
Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion To Dismiss the following: Count 1.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

Defendant has waived the preparation of a presentence report.

11:55 a.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER VIRGINIA L. RICHTER
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)